

SENATE JOURNAL  
OF THE  
IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

---

EIGHTY-SIXTH LEGISLATIVE DAY  
TUESDAY, APRIL 1, 2008

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators McKenzie and Stennett, absent and formally excused by the Chair; and Senators Burkett, Cameron, Pearce, and Stegner, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Austin Porter, Page.

President Risch assumed the Chair.

The Senate advanced to the Third Order of Business.

**Reading and Correction of the Journal**

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 31, 2008, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

**Reports of Standing Committees**

Senator Burkett, Cameron, Pearce, and Stegner were recorded present at this order of business.

March 31, 2008

The JUDICIARY AND RULES Committee reports that **S 1413**, as amended, as amended in the House, **S 1425**, as amended in the House, **S 1485**, and **S 1514** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1413**, as amended, as amended in the House, **S 1425**, as amended in the House, **S 1485**, and **S 1514**, and ordered them transmitted to the House for the signature of the Speaker.

March 31, 2008

The JUDICIARY AND RULES Committee reports that Enrolled **S 1379** as amended, as amended, **S 1455**, **S 1460**, **S 1470**, **S 1501**, **S 1503**, and **S 1508** were delivered to the Office of the Governor at 1:50 p.m., on March 31, 2008.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 31, 2008

The JUDICIARY AND RULES Committee reports that Enrolled **SJM 111** and **SJM 113** were delivered to the Office of the Secretary of State at 2:45 p.m., March 31, 2008.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Little, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

**Messages from the House**

March 31, 2008

Mr. President:

I return herewith **S 1515**, **S 1516**, and **S 1517**, which have passed the House.

ALEXANDER, Chief Clerk

**S 1515**, **S 1516**, and **S 1517** were referred to the Judiciary and Rules Committee for enrolling.

March 31, 2008

Mr. President:

I return herewith **S 1361**, as amended, as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Goedde, granted by unanimous consent, **S 1361**, as amended, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

March 31, 2008

Mr. President:

I transmit herewith Enrolled **HCR 59** and **H 602**, as amended, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **HCR 59** and **H 602**, as amended, and ordered them returned to the House.

March 31, 2008

Mr. President:

I return herewith Enrolled **SJM 114**, which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **SJM 114** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the House amendments to **S 1361**, as amended, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to **S 1361**, as amended, as amended in the House?"

On request by Senator Goedde, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to **S 1361**, as amended, as amended in the House.

**S 1361**, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

**H 380**, as amended, as amended, as amended in the Senate, having been held at the desk for possible reconsideration and no motion for reconsideration having been received, was ordered returned to the House.

On request by Senator McGee, granted by unanimous consent, **H 655**, as amended, was referred to the Fourteenth Order of Business, General Calendar.

**H 664**, as amended, **H 656**, as amended, and **H 680**, by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

**S 1507**, by State Affairs Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

#### Reports of Standing Committees

Senator Stennett was recorded present at this order of business.

April 1, 2008

The JUDICIARY AND RULES Committee reports that **S 1515**, **S 1516**, and **S 1517** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1515**, **S 1516**, and **S 1517**, and ordered them transmitted to the House for the signature of the Speaker.

April 1, 2008

The JUDICIARY AND RULES Committee reports that **S 1361**, as amended, as amended in the House, has been correctly engrossed.

DARRINGTON, Chairman

**S 1361**, as amended, as amended in the House, was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

**S 1361**, as amended, as amended in the House, by Transportation Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

#### Third Reading of Bills

##### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 664**, as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**H 664**, as amended, was read the third time at length and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Jorgenson, Kelly, Keough, Little, Lodge, McGee, McKague, Pearce, Richardson, Siddoway, Stegner, Stennett, Werk. Total - 29.

NAYS--Langhorst, Sagness (Malepeai), Schroeder. Total - 3.

Absent and excused--Coiner, Hill, McKenzie. Total - 3.

Total - 35.

Whereupon the President declared **H 664**, as amended, passed, title was approved, and the bill ordered returned to the House.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:05 p.m. until the hour of 1:15 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 1:15 p.m., pursuant to recess, President Risch presiding.

Roll call showed all members present except Senators Darrington and McKenzie, absent and formally excused by the Chair, and Senators Burkett and Werk, absent and excused.

Prior to recess the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 140 BY JUDICIARY AND RULES COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPROVING A CERTAIN PENDING FEE RULE OF THE DEPARTMENT OF LANDS RELATING TO RULES GOVERNING THE REGULATION OF BEDS, WATERS, AND AIRSPACE OVER NAVIGABLE LAKES IN THE STATE OF IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature pursuant to Section 67-5224, Idaho Code, must approve certain administrative rules that impose a fee or charge by adoption of a concurrent resolution before the rules become effective; and

WHEREAS, the finding of the Legislature is that certain Rules of the Department of Lands, relating to Rules Governing the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho are consistent with legislative intent; and

WHEREAS, IDAPA 20.03.04, Rules of the Department of Lands, Rules Governing the Regulation of Beds, Waters, and Airspace Over Navigable Lands in the State of Idaho was

erroneously included in and rejected by Senate Concurrent Resolution No. 138, which was adopted by the Legislature during this legislative session; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Department of Lands, relating to Rules Governing the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho, Docket Number 20-0304-0701, should be approved.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 20.03.04, Rules of the Department of Lands relating to Rules Governing the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho, Docket Number 20-0304-0701, be, and the same is hereby approved pursuant to Section 67-5224, Idaho Code.

**SCR 140** was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

April 1, 2008

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 691** with the recommendation that it do pass.

HILL, Chairman

**H 691** was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

April 1, 2008

Mr. President:

I transmit herewith Enrolled **H 643**, **H 681**, **H 683**, and **H 687** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 643**, **H 681**, **H 683**, and **H 687** and ordered them returned to the House.

April 1, 2008

Mr. President:

I return herewith Enrolled **S 1413**, as amended, as amended in the House, **S 1425**, as amended in the House, **S 1485**, and **S 1514**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1413**, as amended, as amended in the House, **S 1425**, as amended in the House, **S 1485**, and **S 1514** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

Senators Burkett and Werk were recorded present at this order of business.

### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 656**, as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**H 656**, as amended, was read the third time at length and placed before the Senate for final consideration. Senator Fulcher arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Darrington, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared **H 656**, as amended, passed, title was approved, and the bill ordered returned to the House.

### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 680** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**H 680** was read the third time at length and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Broadsword, Cameron, Coiner, Corder, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett. Total - 29.

NAYS--Bilyeu, Burkett, Pearce, Werk. Total - 4.

Absent and excused--Darrington, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared **H 680** passed, title was approved, and the bill ordered returned to the House.

**S 1518**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Darrington, McKenzie. Total - 2.

Total - 35.

Whereupon the President declared **S 1518** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

### Messages from the House

April 1, 2008

Mr. President:

I transmit herewith **H 695** and **H 696**, which have passed the House.

ALEXANDER, Chief Clerk

**H 695** and **H 696** were filed for first reading.

April 1, 2008

Mr. President:

I return herewith Enrolled **S 1515**, **S 1516**, and **S 1517**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1515**, **S 1516**, and **S 1517** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 1, 2008

Mr. President:

I return herewith **SCR 135** and **S 1519**, which have passed the House.

ALEXANDER, Chief Clerk

**SCR 135** and **S 1519** were referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**H 695** and **H 696**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

**Reports of Standing Committees**

April 1, 2008

The FINANCE Committee reports out **H 695** and **H 696** with the recommendation that they do pass.

CAMERON, Chairman

**H 695** and **H 696** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

**Messages from the Governor**

March 31, 2008

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

**S 1444**, as amended

As Always - Idaho, *Esto Perpetua*  
/s/ C. L. 'Butch' Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

April 1, 2008

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

**S 1343**, **S 1356**, as amended in the House, **S 1379**, as amended, as amended, **S 1426**, as amended in the House, **S 1435**, as amended, **S 1438**, as amended, **S 1449**, as amended, **S 1455**, **S 1460**, **S 1497**, **S 1498**, **S 1499**, **S 1500**, **S 1501**, **S 1502**, **S 1503**, **S 1504**, **S 1505**, and **S 1508**

As Always - Idaho, *'Esto Perpetua'*  
/s/ C. L. 'Butch' Otter  
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

**Reports of Standing Committees**

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

April 1, 2008

The JUDICIARY AND RULES Committee reports that **SCR 140** has been correctly printed.

DARRINGTON, Chairman

**SCR 140** was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

President Risch called President Pro Tempore Geddes to the Chair.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**Suspension of Rules**

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of

**S 1361**, as amended, as amended in the House, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**S 1361**, as amended, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Coiner, Corder, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Jorgenson, Kelly, Keough, Langhorst, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Siddoway, Stegner, Stennett, Werk. Total - 28.

NAYS--Cameron, Hill, Little, Schroeder. Total - 4.

Absent and excused--Burkett, Darrington, McKenzie. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1361**, as amended, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Senator Darrington was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

### Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of **SCR 140** were suspended. The question being, "Shall the resolution be adopted?"

On motion by Senator Schroeder, seconded by Senator Stennett, **SCR 140** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

#### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 695** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**H 695** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Burkett, McKenzie. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 695** passed, title was approved, and the bill ordered returned to the House.

### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 696** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**H 696** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Burkett, McKenzie. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 696** passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

President Pro Tempore Geddes called Senator Darrington to the Chair.

The Senate considered the Consent Calendar at this time.

**H 477** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Burkett, McKenzie. Total - 2.

Total - 35.

Whereupon the Acting President declared **H 477** passed, title was approved, and the bill ordered returned to the House.

**H 481**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Burkett, McKenzie. Total - 2.

Total - 35.

Whereupon the Acting President declared **H 481**, as amended, passed, title was approved, and the bill ordered returned to the House.

**H 630** was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Burkett, McKenzie. Total - 2.

Total - 35.

Whereupon the Acting President declared **H 630** passed, title was approved, and the bill ordered returned to the House.

President Risch returned to the Chair.

**SJR 105**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Little arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stennett, Werk. Total - 30.

NAYS--Langhorst, Stegner. Total - 2.

Absent and excused--Andreason, Burkett, McKenzie. Total - 3

Total - 35.

More than two-thirds having voted in the affirmative, the President declared **SJR 105** adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

**Messages from the House**

April 1, 2008

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I am writing to inform you that the House has failed to concur in the Senate amendments to **House Bill 599**, as amended, as amended in the Senate. I am appointing a conference committee consisting of Representatives Dennis Lake, Jim Clark, and Bill Killen.

Sincerely,  
/s/ Lawrence Denney  
Speaker of the House

The correspondence was ordered filed in the office of the Secretary of the Senate.

The President announced that the President Pro Tempore appointed a Conference Committee consisting of Senator Brent Hill, Chairman, and Senators Joe Stegner and David Langhorst to meet with a like committee from the House for consideration of the Senate amendments in which the House did not concur.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

**Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 5:55 p.m. until the hour of 10 a.m., Wednesday, April 2, 2008.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary